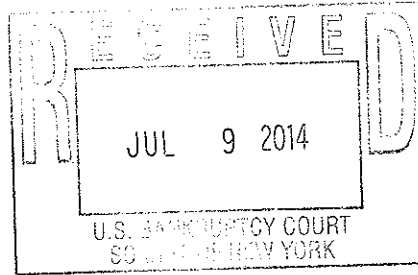


MADOFF VICTIM FUND  
P.O. BOX 6310  
SYRACUSE, NY 13217-6310



7070192 - CRC  
LAMAR ELLIS TR  
LAMAR ELLIS TTEE CONSERVATOR  
1516 SHIRLEY AVE  
JACKSON, MS 39204

We are writing to confirm that we have received the claim you submitted to the Madoff Victim Fund (MVF) and have assigned it claim number **7070192**. Please retain this number and include it in any correspondence or emails you send to the MVF and have it accessible if you call MVF customer service. No further action is required from you at this time. If your address or contact information changes, please inform us immediately so that we have your current information.



**MADOFF VICTIM FUND**  
Distribution Vehicle for Forfeited Assets



January 7, 2014

Dear Madoff Investor:

I am the Special Master for the United States Department of Justice (the "Department" or "DOJ") charged with administering the Madoff Victim Fund ("MVF"). MVF is the vehicle that the Department will use to distribute more than \$4 billion in assets forfeited to the United States to victims of the crimes involving Madoff Securities. These funds were obtained for victims by the United States Attorney for the Southern District of New York through forfeiture actions against various persons involved with Madoff Securities.

I am writing to every person who filed a claim in the bankruptcy of Madoff Securities, whether approved or denied, in case you do not already know about our program. MVF is completely separate from the bankruptcy, and it offers a separate path to recovering a portion of your qualifying losses<sup>1</sup>. Our website [www.madoffvictimfund.com](http://www.madoffvictimfund.com) explains MVF's eligibility standards and other issues in our "Frequently Asked Questions" section.

**Overview.** To my knowledge, the MVF represents by far the largest and most ambitious effort by any government in any country to return forfeited assets obtained by law enforcement authorities to victims of securities fraud. As you are painfully aware, Madoff's scheme ran for decades and inflicted immense financial harm and personal anguish on victims around the world. A large majority of victims have gone five years without a significant recovery.

MVF's approach to eligibility is simple and universal. If you had *your own money invested in Madoff Securities and suffered an actual loss when the fraud was exposed*, you will be eligible to seek a recovery with only very minor exceptions set forth in the FAQs.<sup>2</sup> However, we can only determine your eligibility after we review a completed claim and supporting documentation covering what you invested in, with whom, and in what amounts.

Some may not understand why there are two separate programs to help people who invested in Madoff: a "forfeiture" program and a "bankruptcy" program. The answer is that these two programs have different objectives. The U.S. Congress created the bankruptcy process to allow insolvent firms to reorganize, or to be liquidated in an orderly manner in accordance with established priorities. Where a former broker dealer firm such as Madoff Securities is being liquidated, the law limits distributions of most bankruptcy estate assets to

<sup>1</sup> MVF payouts will be based on a victim's loss as a percentage of all eligible losses. We plan to distribute a portion of MVF's funds to victims who have not yet recovered some minimum percentage of their losses before a more generalized distribution to all victims.

<sup>2</sup> For example, neither the bankruptcy program nor the MVF provide recoveries for investors who withdrew more money than they deposited. There are also certain categories of persons who are not eligible (described in the claim forms), such as members of the Madoff family or persons who derived significant compensation from persuading others to invest in products funneling money to Madoff Securities.

"customers". The term customer is defined very narrowly to require a claimant to have held a direct account with Madoff Securities. Since more than 80% of investors in Madoff did *not* have a "direct" account, bankruptcy law creates significant disparities among former investors as to who can recover. Out of approximately 16,500 claims in the bankruptcy proceedings, claims covering only 2,186 accounts<sup>3</sup> were "allowed" (roughly 18%). More than 14,000 bankruptcy claims were rejected, most commonly because the individual invested through a feeder fund or similar entity.

Separately, Congress also created forfeiture laws to allow law enforcement authorities to seize the proceeds of criminal activity. By law forfeited assets are used to help "victims" of the criminal activity that gave rise to the forfeitures. Happily, the statutes that govern forfeited assets allow us to help all victims whose money was stolen, whether they held a direct account or an indirect account, and irrespective of your nationality.

MVF's program is unique in giving eligibility to the "ultimate investor" whose money was really lost, rather than to banks, feeder funds or any of the legions of middlemen or managers in the flow of funds. By ultimate investor we mean the real individuals who originally took assets they owned and invested them such that they ultimately found their way into Madoff Securities. Indeed, our process starts with the question: "was money that belonged to you invested in Madoff Securities when it collapsed?"<sup>4</sup> If the answer is "no", then you generally will not be eligible for a recovery.

**Understanding MVF's Claim Process.** Madoff's appetite for cash was voracious, and thousands of investment products or funds were used to raise money. The cash of investors flowed into Madoff Securities through investment partnerships, funds of hedge funds, trusts, UCITS, insurance and annuity programs and many other types of financial products. In addition, investor money was often routed through multiple entities before reaching Madoff Securities.

As part of our claims process, I have to be sure that claims cover actual investments in Madoff Securities, and that these investments are not inflated by claims covering phony profits. If false, overstated or ineligible claims are not blocked, then the real victims would have their recoveries diluted significantly. At the same time, our objective is to help victims qualify for a recovery on their losses. We don't want the claim process to be so complex that it prevents real victims from completing the process. My staff and I have worked hard to write Frequently Asked Questions and other materials that are as understandable as possible so you can navigate our process successfully.

**To make a claim, we have created several forms you can download and mail:**

**Form IND** is for individuals who invested in Madoff Securities indirectly through a feeder fund, a bank, a family trust, a "friends and family" investment group, or other funds or products. We expect Form IND will be appropriate for approximately 90% of applicants. *If you have any doubt about what form to use, use Form IND.*

<sup>3</sup> 1,106 accounts with "allowed claims" in the bankruptcy have already recovered 100% of their losses.

<sup>4</sup> Not every product or transaction structure will be eligible for a recovery. For example, as the FAQs on our website note, losses on swaps and other derivatives that *reference* Madoff investments but did not involve an investor's cash being invested "in" Madoff Securities will not be eligible. Loans or other debts may also not be eligible.

Form DIR is for individual investors with an approved claim in the Madoff Securities bankruptcy (or who held a direct account but did not file a bankruptcy claim). MVF will be sending "pre-populated" Form DIRs to individuals who have allowed bankruptcy claims with unrecovered losses. Individuals receiving a pre-populated form will need to review the form for accuracy, supplement it with some additional information, and return the signed claim<sup>5</sup>.

Form PV is solely for feeder funds, trust companies, insurance companies, banks or other entities that sold or managed an investment product that commingled the funds of many individuals. Claims on Form PV are for the benefit of the underlying customers of such entities, who will receive any payments directly from MVF rather than through the intermediaries. *If you are an individual, you should NOT file on Form PV.*

**Go Ahead and File Even if You Don't Have Some Bit of Information.** We have had numerous questions from investors who are missing an account number, an allocation percentage or some other information that Form IND requests, or who can't determine which information to put in which part of the form. Our advice to all who lost funds is to fill out as much of the Form as you can, and attach the documentary records concerning your investment. If you put information in the wrong boxes, we can sort it out once we read your claim.

If you don't have a particular piece of information, file anyway and attach a statement explaining why you can't provide the requested information. The golden rule is: ***Do the Best You Can.*** A corollary is to give us the information that you have. We understand you can't tell us what you don't know<sup>6</sup>.

I have administered compensation funds in cases of forfeiture remission or securities fraud involving well over one million successful claims. Claims often have multiple deficiencies when they are filed, but these can almost always be cured if the claim is genuine and you help us address missing information. The earlier you file, the more time my staff will have to help you.

At the same time, I don't want to oversimplify the process. Complicated investments will result in complicated claims. We already have claims covering investment chains involving more than a half dozen levels. While DOJ makes all final decisions, you will not meet MVF's eligibility standards if you cannot document a qualifying investment. However many entities were involved, you have to show us evidence proving where your money went. We will do everything possible to help, but the burden of documenting your loss is on you.

***We have established a deadline of February 28, 2014 for filing a claim.*** Any reasonably complete filing with us will satisfy the deadline, even if supplemental material has to be provided later. However, claims must be signed by the actual victim, not by a nominee on your behalf. Though the fund through which you invested will hopefully help you

<sup>5</sup> If a direct account in your name held commingled funds from others along with your own, all parties will need to fill out separate individual claims.

<sup>6</sup> Individuals should certainly show us the first entity where their money went, such as your bank. We will need account statements from that first entity showing all investments and withdrawals. If your bank then purchased shares on your behalf in an investment fund, please give us any information you have on your investment in that entity. If that entity in turn invested in something else, please give us information on that as well if you can. Please attach any pages you need to describe the path your money took getting into Madoff Securities.

document your loss, I strongly advise all victims to file their own individual claims rather than relying on someone else.

MVF will attempt to help every single person who lost their own money invested in this vile and inexcusable scheme. If you believe you meet our published criteria, please file a claim, which is the basis for our ability to help you.

Sincerely,

Richard C. Breeden  
Special Master

**PETITION FORM IND**

For Claims By Indirect Investors

**MADOFF VICTIM FUND**

Distribution Vehicle for Forfeited Assets

on behalf of the



**UNITED STATES DEPARTMENT OF JUSTICE**

*Submissions to the Madoff Victim Fund must be verified under the penalty of perjury pursuant to 28 U.S.C. § 1746.*

**INSTRUCTIONS**

Form IND is for use by investors who invested with Madoff Securities through an investment in, or purchase of shares from, an intermediate investment entity such as a feeder fund, bank, investment company, family trust or other pooled entity.

The United States Department of Justice ("DOJ") will determine eligibility to make a claim on MVF in its sole discretion.

**Victim Status**

To qualify for a recovery from the MVF a claimant must have been a "victim" of the crimes that took place involving Madoff Securities. This involves showing that an individual suffered losses when:

- The funds in question were the victim's own money;
- The funds were actually invested in Madoff Securities either directly or through an intermediary; and
- The funds were lost as a direct result of the crimes that took place at Madoff Securities.

The victim is the person who took funds out of any of their other assets and invested them either directly or indirectly with Madoff Securities. Funds may have been withdrawn from an investment or savings account in a financial institution, or they may have come from the sale of other investment assets. The money may also have come out of a 401(k) or other retirement savings vehicle. However, in order to be eligible you must have lost money that belonged to you in the fraud at Madoff Securities.

**Eligibility for Defrauded Investors, not Intermediaries.** MVF will look through issues of formal title to determine whose funds were ultimately lost in the fraud at Madoff Securities. The "ultimate or underlying investors" are generally the persons who will be eligible to recover from MVF, irrespective of how many layers their funds flowed through in reaching Madoff Securities.

Unlike the bankruptcy proceedings, pooled funds themselves are not eligible claimants except to the extent that they lost their own proprietary funds. Similarly, someone who managed funds on behalf of an investor, whether a bank or an investment manager of some other type, is not eligible for a recovery with respect to funds actually belonging to the investor.

Losses on investments in swaps or other derivatives whose value was measured by reference to interests in Madoff Securities, but where funds were never actually invested in Madoff Securities, do NOT qualify for purposes of claims on MVF. The FAQs describe other types of losses that are NOT eligible for a recovery.

**Making an Individual Claim**

Pooled investment vehicles can file a claim on behalf of their investors on Form PV. However, we strongly recommend that individual investors who lost their funds in the fraud should file their own individual claim, rather than relying on any current or former money manager, feeder fund or any other entity to file claims on their behalf. We will integrate the data from any dual filings.

## PETITION FORM IND

## Submitted by Indirect Investors

*Please type or print all answers using blue or black ink. Please print carefully and legibly – if we cannot read your information your claim may be rejected.*

**I Claimant Information****Primary Claimant**Claimant's (Investor's) Name Lamar Ellis Trust/ Energetic IncClaimant's Email Address dennisalexander261@hotmail.comIf you filed a claim in the bankruptcy proceeding, please enter your claim ID here: 008118

*(The name and email address of the claimant whose funds were lost must be provided, even for investments otherwise held in the name of a nominee.)*

U.S. Tax ID: 12-2349/ Lamar Ellis ☒ SSN ☐ EIN

Foreign ID and Country: (if applicable) \_\_\_\_\_

Street Address 1516 Shirley AvenueCity, State/Province, Postal Code Jackson MS 39204Country United StatesDaytime Phone 909-623-2247

Alternate/Cell Phone \_\_\_\_\_

Alternate Contact (if any) Dennis Alexander (501) 612-1208**Joint Claimant (if any)**Joint Claimant's Name Lamar Ellis Trust/ Energetic INCJoint Claimant's Email Address dennisalexander261@hotmail.comU.S. Tax ID: 95-7059679/64-0632132 ☐ SSN ☒ EIN

Foreign ID and Country: (if applicable) \_\_\_\_\_

Joint Claimant's Street Address 1372 Fernlake AvenueBrea, CA 92821Daytime Phone 909-623-2247Alternate/Cell Phone 501-612-1208



## II Information on the Account(s) Through Which You Invested

[Your bank or other firm where you kept your account]

This Section calls for information about where the account through which you purchased an investment was located. This will generally be your bank or another type of financial firm where you first purchased an investment security that ultimately, through one or more steps, found its way into Madoff Securities. For this section we want to know where you first placed your investment, not all the subsequent steps.

If you placed your investments through more than one bank or other intermediary, please add supplemental sheets and list all such firms and related account numbers.

Name of Firm and branch (if relevant): \_\_\_\_\_ National Bank Trust

Street Address, City, State/Province, Country, Postal Code where your account was located: \_\_\_\_\_

\_\_\_\_\_ Street

Jackson, MS 39201

Exact Name on your Account: (Enter the name which appears on your account statements)

Lamar Ellis TEE / Lamar Ellis Revocable Trust

Your Account Number: (If relevant, it should match your backup documents)

Gc 1581380 / 107458002

Name of Contact Person at Financial Institution: (Person Familiar With Your Account, if known)

Institution or Contact Person Daytime Phone: \_\_\_\_\_ Institution is now defunct

Institution or Contact Person Email Address: \_\_\_\_\_

**IF YOU DID NOT USE A BANK OR FINANCIAL INSTITUTION FOR YOUR PURCHASE OF A MADOFF-RELATED SECURITY OR INVESTMENT, TELL US THE FIRST LOCATION WHERE YOU SENT YOUR FUNDS.**

For example, if you mailed or wired funds directly to a feeder fund, investment partnership, mutual fund, family partnership or other entity of this kind, please give us the information requested above with respect to that entity and identify the entity as completely as possible.

## III Investment Products Purchased Pg 10 of 15

[What exactly did you invest in?]

Please list ALL your investments that directly or indirectly resulted in an investment in Madoff Securities.

Name of Security(s) or Other Product(s) you purchased, or were purchased on your behalf

*For example, did you buy shares in a traded feeder fund, or buy units in an investment fund of some type?  
Please tell us what instrument(s) you purchased or invested in, and who you bought it from.*

List below each separate investment product you purchased relating to Madoff Securities:

These are the securities I was told my assets were invested in:

Cusip 032168700 Symbol AOPXX

If not already identified, where were these products held in custody during your ownership?

National Bank Trust Department

Street

Jackson, Mississippi 39201

Ultimately, we need to understand the path your investment took in flowing to Madoff Securities. If you are uncertain, or if the form does not exactly match your situation, please list as many steps as you know concerning your Madoff investments and we will review it.

If you provide information in the wrong sections, it will not invalidate your claim.

For any question, please attach however many supplemental sheets you need to explain your situation.

## Account Documentation

Please provide documentation detailing the investment you made, and the feeder fund or other entity in which you invested. Please provide a copy of any key documents describing your investment, such as a partnership agreement, offering memorandum, account agreement or sale confirmations.

We need to see documentation showing the date and the amount of each purchase of a Madoff-related investment, each deposit in an account that was transferred in whole or in part to Madoff Securities, and each withdrawal from any such investment or account. Please also provide a copy of the last statement you received before or at the time Madoff Securities collapsed, which includes your Madoff-related investment.

Documentary proof of transactional information can include statements you received from the pooled investment vehicle and/or custodial bank, trade confirmations, wire transfer confirmations, cancelled checks, receipts, letters from fund administrators or investment advisors (signed and on company letterhead), etc. To evaluate your claim MVF has to be able to trace the flow of your investments in and out of the pooled investment vehicle, and ultimately in and out of Madoff Securities.

***Please submit copies and keep the originals.***

#### IV Transactions

Please complete the transaction table below, including every deposit (or purchase of shares) and withdrawal (or sale of shares) in any intermediary pooled investment vehicle that ultimately resulted in your funds being invested in Madoff Securities. Please enter the full amount of each transaction.

For funds that held investments in addition to those related to Madoff, please give us the percentage that was allocated to Madoff Securities if you have that information.

If you need additional space, please make copies of the table or download additional pages from our website.

***Your net loss on Madoff-related investments must be computed on a "cash-in, cash-out" basis, disregarding any falsely reported profits (which never existed). For some funds, constantly shifting NAVs or portfolio allocations will complicate tracing the net cash investment in Madoff-related products. However, MVF cannot pay compensation on any basis other than the net cash investment in Madoff Securities that was lost as a direct result of the fraud. Please give us as much information as you have that will show your personal cash deposits and withdrawals, and their allocation if less than 100% of the fund's portfolio consisted of interests in Madoff Securities.***



**V Secondary Pooled Investment Vehicles**

If any of your investments detailed in the table above flowed through more than one intermediary entity before it was invested in a Madoff Securities account, please identify each such intermediary of which you are aware. For example, if you invested in Fund A and it in turn invested in Fund B, which invested in Fund C, then give us as much information as you have on where your funds went in each subsequent step after the first account (already listed in section II).

National Bank, South Investments,  
Investments Services, is National Bank,  
University of California

**VI Tax-Deferred Accounts (For U.S. investors only)**

If an investment in Madoff Securities was made through an individual tax-deferred account, such as a 401(k), 403(b) or IRA account, please provide the name, phone number and account number for the institution in which the investor's tax-deferred account is currently held.

Financial Institution \_\_\_\_\_  
Account Number \_\_\_\_\_

**VII Other Madoff Investments**

Did you at any time have any investments in Madoff Securities that are not shown on this Form?

This question requires you to disclose investments made directly in a Madoff Securities account and any additional indirect investments that ended up in a Madoff Securities account.

- ☒ No  
☐ Yes

If Yes, all investments, whether or not they resulted in a net loss, must be fully disclosed. You may make copies of blank pages of this Form to report the investments and attach the pages to the Form, or submit a separate claim form for each investment.

**VIII Recoveries**

Please report any recoveries you have received for the losses you incurred as a result of your investment in Madoff Securities (e.g., distributions from the pooled vehicle in which you invested, litigation recoveries, insurance recoveries, or recoveries from any other source). Please include documentation to support any recovery you have received.

Amount	Date	Source

If it is reasonably certain that you will receive future recoveries from a specific source, such as a litigation settlement now in escrow, please provide us information on any such likely future recovery. You do not need to list all pending lawsuits or other legal actions if you have not been advised of any settlement or recovery.

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**IX Disclosure of Fees, Commissions or Other Financial Compensation You Received**

Did you receive any fees, commissions or any financial compensation of any nature from any source for causing any investments in Madoff Securities?

No ☒

Yes ☐ If yes, you are required to complete Form A, which is available on our website.

**X Certification and Release**

**A. CERTIFICATION.** The undersigned represents and certifies under penalty of perjury that:

- 1.** All personal and transactional information and all disclosures regarding any recovery for the loss resulting from the Madoff fraud, are complete and accurate to the best of the undersigned's knowledge. Information regarding all accounts, whether showing a net investment or net withdrawals, has been provided.
- 2.** All accompanying documents in support of this Petition and documents submitted to the Madoff Securities bankruptcy trustee in support of the bankruptcy claim are true, correct and complete to the best of the undersigned's knowledge.
- 3.** He/she/it is not and/or has not been any of the following.
  - a.** A person who knowingly participated in, benefitted from or acted in a willfully blind manner relating to the fraud, and has not earned fees, commissions or other payments from handling or directing investments in Madoff Securities, except as disclosed in Form A (available on our website).
  - b.** A person who was an officer, director or employee of Madoff Securities at any time during the Madoff fraud through and including December 11, 2008.
  - c.** A member of the Madoff family.
  - d.** A person who forfeited cash or property to the DOJ in connection with the Madoff fraud.
  - e.** A defendant in any state or federal criminal action relating to the Madoff fraud.
  - f.** A person who is otherwise prohibited from receiving payments in the United States, including all prohibited persons under regulations of the Office of Foreign Assets Control (see [www.treasury.gov/about/organizational-structure/offices/Pages/Office-of-Foreign-Assets-Control.aspx](http://www.treasury.gov/about/organizational-structure/offices/Pages/Office-of-Foreign-Assets-Control.aspx)).
  - g.** An affiliate, assign, heir, distributee, parent, spouse, child, or other relative of any of the foregoing, or an entity controlled by, or under common control of, any of such persons.

**B.** He/she/it consents to the use by the U.S. Department of Justice, the MVF and its staff, and any of the Department's agents of any of the information provided herein for any purpose relating to this claims and remission process, including verifying the Petition or the identity of the Petitioner. This information includes, but is not limited to, the Social Security Number (or taxpayer identification number or similar foreign identifying information), address, telephone number and brokerage account information of the persons involved in any claim.